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| <p align="center">REQUEST For CONTINUED EXAMINATION (RCE) TRANSMITTAL</p> <p align="center">Address to: MAIL STOP RCE COMMISSIONER FOR PATENTS P.O. BOX 1450 ALEXANDRIA, VA 22313-1450</p> <p>(Revised 09/2004)</p> | Application Number 09/745,290 |
| | Filing Date December 20, 2000 |
| | First Named Inventor: Adam L. Berger et al. |
| | Art Unit: 2176 |
| | Examiner Name: Peter J. Smith |
| | Confirmation No.: 6981 |
| | Attorney Docket No. 042933/274311 |
| <p>This is a request for <u>Continued Examination (RCE)</u> under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.</p> | |

1. **Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- ii. ☐ Other
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavits(s)/Declarations(s)
- iii. ☐ Information Disclosure Statement (IDS); of cites listed on PTO Form 1449
- iv. ☒ Other: **Preliminary Amendment**

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ___ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other

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01 FC:1801 790.00 DA
02 FC:1202 1000.00 DA
03 FC:1201 400.00 DA

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3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
- a. The Director is hereby authorized to charge any fee deficiencies, or credit any overpayments to Deposit Account No. 16-0605.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) **(\$790.00)**
(\$790.00 large entity; \$395.00 small entity)
- ii. ☐ Extension of Time Fee (37 C.F. R. §§ 1.136 and 1.17)
- iii. ☒ Other: **Fee for Additional Claims from Preliminary Amendment: \$1,400.00**
- b. ☐ Check in the amount of \$____enclosed

Respectfully submitted,




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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office at
Fax No. (703) 872-9306 on the date shown below.


Sarah B. Simmons

May 13, 2005
Date

CLT01/4711413v1